

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*West Boca Medical Center, Inc. v.
AmerisourceBergen Drug Corp., et al.,*
Case No. 1:18-op-45330

MDL No. 2804

Case No. 1:17-MD-2804

Hon. Dan A. Polster

**UNOPPOSED MOTION TO DISMISS CVS HEALTH CORPORATION AND ADD
CVS OLRANDO, FLORIDA DISTRIBUTION, LLC. AND
CVS VERO, FLORIDA LLC. AS DEFENDANTS**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiff in the above-captioned case hereby moves to dismiss Defendant CVS Health Corporation (“CVS Health”) from the case without prejudice and to add CVS Orlando, Florida Distribution, L.L.C. (“CVS Orlando”) and CVS Vero, Florida Distribution, L.L.C. (“CVS Vero”) as Defendants in that case. CVS Health does not oppose the motion.

On June 29, 2018, CVS Health moved to dismiss the complaint in the above-captioned case for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). If this motion pursuant to Rule 21 to dismiss CVS Health is granted, the motion to dismiss for lack of personal jurisdiction will be moot.

This motion and the addition of CVS Orlando and CVS Vero to this case is without prejudice to any defenses, counterclaims, cross-claims, arguments, or other legal positions available to CVS Orlando and CVS Vero as Defendants in the case.

Dated: July 26, 2018

Respectfully submitted,

/s/ Don Barrett

John W. ("Don") Barrett

David McMullan, Jr.

Richard Barrett

Sterling Starns

BARRETT LAW GROUP, P.A.

P.O. Box 927

404 Court Square North

Lexington, Mississippi 39095

Ph: (662) 834-2488

Fax: (662) 834-2628

dbarrett@barrettlawgroup.com

dmcullan@barrettlawgroup.com

rrb@rrblawfirm.net

ssarns@barrettlawgroup.com

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2018, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

/s/ Don Barrett
John W. ("Don") Barrett
BARRETT LAW GROUP, P.A.
P.O. Box 927
404 Court Square North
Lexington, Mississippi 39095
Ph: (662) 834-2488
Fax: (662) 834-2628
d Barrett@barrettlawgroup.com